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09/251,480	02/17/1999	KAMRAN AMJADI	24122-402	3291

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EXAMINER

DINH, KHANH Q

ART UNIT	PAPER NUMBER
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2151

DATE MAILED: 07/28/2004

29

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/251,480

Applicant(s)

AMJADI, KAMRAN

Examiner

Khanh Dinh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-53 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This is in response to the Amendment C (paper # 28) filed on 4/22/2004. Claims 1-21 and new claims 22-54 are presented for examination.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC ' 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

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4. Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by MacNaughton et al US pat. No.5,796,393.

As to claim 1, MacNaughton discloses a computer method performed for providing access to incentives via a computer network, the computer network comprising at least one incentive host server (18 fig.1) and at least two network servers for providing users with access to incentives host server, comprising:

Receiving, at a network server, an access request from a client device (users interacting with Web Browsers) associated with the user and transmitting a first identifier and a network server identifier (NID) (i.e., each community is identified by a text name and an identification number and has an associated port number through a interaction between a Community Client and a server, see col.9 lines 1-41) corresponding to the access request to the incentive to a host server (see abstract, fig. 1, col.3 line 8 to col.4 line 32 and col.5 line 13 to col.6 line 24);

Determining at the incentive host server available incentives using at least the first identifier and the NID, wherein the NID is used to identify available incentives in an incentive server database associated with the NID (i.e., each community is identified by a text name and an identification number, an associated port number through a interaction between a Community Client and each interaction between a Community Client and a Community Server is identified by a "Capability Id" , see col.9 lines 1-41), and transmitting information regarding the determined available incentives to the client device (see col.6 line 25 to col.7 line 61 and col.9 line 42 to col.10 line 51).

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As to claim 2, MacNaughton discloses receiving a request for a document stored at least in part on the network server (see co1.6 line 25 to co1.7 line 61).

As to claim 3, MacNaughton discloses determining whether an indication exists that the user subscribes to receive information of at least one of the subscriber identification and a server identification associated with available incentives (see co1.7 line 14 to co1.8 line 65 and col.9 lines 1-41).

As to claim 4, MacNaughton discloses determining whether an indication exists that the user subscribes to receive information of at least one of the subscriber identification and a server identification associated with available incentives, includes: transmitting a subscriber request to the client device and receiving a response from the client device including the first identifier (i.e., primary or core capabilities with user ID memberships, see co1.8 line 10 to col.9 line 41).

As to claim 5, MacNaughton discloses transmitting an identifier corresponding to the client device to the incentive host server and transmitting a network server identifier corresponding to the network server (see fig.2, co1.8 line 10 to co1.10 line 67 and col.11 line 13 to col.12 line 41).

As to claim 6, MacNaughton discloses receiving incentive information reflecting a selection of incentives based on at least one of the subscriber identification and the

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identifier corresponding to the client device to the incentive host server and the network server identifier corresponding to the network server (see fig.2, col.8 line 10 to col.10 line 67 and col.11 line 13 to col.12 line 41).

As to claim 7, MacNaughton discloses transmitting a first identifier corresponding to the device associated with the (see fig.2, col.8 line 10 to col.10 line 67 and col.11 line 13 to col.12 line 41).

As to claim 8, MacNaughton discloses a computer-implemented method for accessing incentives in a network, comprising:

transmitting an access request to access one of the network servers in the network (see fig. 1, abstract, col.3 line 8 to col.4 line 32 and col.5 line 13 to col.6 line 24, fig.2, col.8 line 10 to col.10 line 67 and col.11 line 13 to col.12 line 41).

transmitting a first identifier and a network identifier (NID) corresponding to the access request to the incentive host sever (i.e., each community is identified by a text name and an identification number and has an associated port number through a interaction between a Community Client and a server, see fig.2, col.8 line 10 to col.10 line 67 and col.11 line 13 to col.12 line 41).

Determining available incentives using at least the first identifier and the NID, wherein an incentive host server identifies available incentives in an incentive server database associated with the NID (i.e., each community is identified by a text name and an identification number, an associated port number through a interaction between a

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Community Client and each interaction between a Community Client and a Community Server is identified by a "Capability Id" , see col.9 lines 1-41, col.6 line 25 to col.7 line 61 and col.9 line 42 to col.10 line 51).

As to claim 9, MacNaughton discloses providing a browser enabling a user to formulate and transmit the access request (see col.5 lines 14-67).

As to claim 10, MacNaughton discloses receiving selected incentive information reflecting a server identification associated with the server, wherein the network server provides the NID to the incentive host for identification of the incentive information (see col.7 line 48 to col.9 line 27, col.10 lines 12-67 and col.11 lines 13-51).

Claims 11-20 are rejected for the same reasons set forth in claims 1-10 respectively.

As to claim 21, MacNaughton discloses a system for distributing information in a network, comprising:

a host server (18 fig. 1) having at least one of an incentive distribution module and an account creation module accessible to a plurality of users, a plurality of network servers (24, 28, 32 fig. 1) coupled to and selectively accessible to the host server for providing identification including a first identifier and an NID to the host server (i.e., each community is identified by a text name and an identification number and has an associated port number through an interaction between a Community Client and a server

receiving data corresponding to subscribers, see abstract, fig. 1, co1.3 line 8 to co1.4 line 32, co1.5 line 13 to co1.6 line 24 and col.9 lines 1-41).

at least one client machine coupled to and selectively accessible to at least one of the network servers for accessing network documents, wherein when at least one user causes the client machine to access one of the network servers, the accessed network server communicates with the host server to obtain data corresponding to the subscriber for presentation to the at least one user, and wherein the at least one client machine is adapted to present from the host for at least one (see col.6 line 25 to col.7 line 61, co1.8 lines 10-65 col.8 line 10 to co1.10 line 67 and col.11 line 13 to co1.12 line 41).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 22-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over MacNaughton et al US pat. No.5,796,393 in view of Gardenswartz et al. US pat. No.6,055,573.

As to claims 22-33, MacNaughton's teachings still applied as in item 4 above.

MacNaughton does not specifically disclose using coupons, discounts and awards.

However, Gardenswartz discloses disclose using coupons, discounts and awards in a

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consumer computer network (see col.7 line 12 to col.8 line 32 and col.col.13 line 51 to ocl.14 line 48). It would have obvious to one of the ordinary skill in the art at the time the invention was made to implement Gardenswartz's teachings into the computer system of MacNaughton to process data transactions over the Internet because it would have tracked a consumer's online activity and thus delivered appropriate product information to consumers based on purchase history.

Claim 34 is rejected for the same reasons set forth in claim 1 above. MacNaughton does not specifically disclose using a set of one or more coupons. However, Gardenswartz discloses disclose using a set of one or more coupons in a consumer computer network (see col.7 line 12 to col.8 line 32 and col.13 line 51 to ocl.14 line 48). It would have obvious to one of the ordinary skill in the art at the time the invention was made to implement Gardenswartz's teachings into the computer system of MacNaughton to process data transactions over the Internet because it would have tracked a consumer's online activity and thus delivered appropriate product information to consumers based on purchase history.

As to claims 35 and 36, Gardenswartz further discloses transmitting to the client request and registration form for an account, receiving information regarding an account, determining an identifier and transmitting the first identifier to the client device (see fig.1, col.5 lines 33 to col.6 line 53, col.7 line 12 to col.8 line 32 and col.13 line 51 to ocl.14 line 48). It would have obvious to one of the ordinary skill in the art at the time the

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invention was made to implement Gardenswartz's teachings into the computer system of MacNaughton to process data transactions over the Internet because it would have tracked a consumer's online activity and thus delivered appropriate product information to consumers based on purchase history over the Internet.

As to claims 37 and 38, Gardenswartz further discloses demographic information regarding a user and the requested document is stored on the network server (see fig.1, col.5 lines 33 to col.6 line 53, col.7 line 12 to col.8 line 32 and col.13 line 51 to col.14 line 48). It would have obvious to one of the ordinary skill in the art at the time the invention was made to implement Gardenswartz's teachings into the computer system of MacNaughton to process data transactions over the Internet because it would have tracked a consumer's online activity and thus delivered appropriate product information to consumers based on purchase history over the Internet.

Claims 39-43 are rejected for the same reasons set forth in claims 34-38 respectively.

Claims 44-47 are rejected for the same reasons set forth in claims 39-42 respectively.

Claim 48 is rejected for the same reasons set forth in claim 34. as to the added limitations, Gardenswartz further discloses one or more database for storing information related to coupons (2, 4 and 6 of fig.1) (see fig.1, col.5 lines 33 to col.6 line 53, col.7 line 12 to col.8 line 32). It would have obvious to one of the ordinary skill in the art at the time the invention was made to implement Gardenswartz's teachings into the computer system of MacNaughton to process data transactions over the Internet because it would

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have tracked a consumer's online activity and thus delivered appropriate product information to consumers based on purchase history over the Internet.

Claims 49-51 are rejected for the same reasons set forth in claims 40-42 respectively.

Claims 52 and 53 are rejected for the same reasons set forth in claims 34 and 39 respectively.

Response to Arguments

7. Applicant's arguments with respect to claims 1-53 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. Claims 1-53 are *rejected*.

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (703) 308-8528. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 4:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung, can be reached on (703) 308-6687. The fax phone number for this group is (703) 872-9306.

A shortened statutory period for reply is set to expire THREE months from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned (35 U.S. C . Sect. 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(A).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305 -9600.

Khanh Dinh
Patent Examiner
Art Unit 2151
7/25/2004


ZARNI MAUNG
PRIMARY EXAMINER